

BOARD OF SELECTMEN

Minutes of the Meeting of 2 August 2006 at 6:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Douglas Bennett, Brian Chadwick, Michael Glowacki, Michael Kopko and Whiting Willauer. Chairman Willauer called the meeting to order at 6:00 PM.

Announcements. Chairman Willauer announced that, effective August 2, 2006, Wednesday parking ticket hearings formerly held at the fire station will occur at 2 Fairgrounds Road.

Public Comment. Andrew Willauer of 2 India Street spoke against the change in parking designation near his property. Town Administrator Libby Gibson advised that this matter and any other traffic safety matters should be provided in writing to the Town Administration office.

Tony Mazzotas spoke regarding Essex Road parking issues and Chief Pittman provided an update on plans to address overcrowding there. Andy Caspe of Essex Road voiced concerns about the overcrowding of the Essex Road section leading to Miacomet Avenue.

Chairman Willauer requested that the sewer item be taken out of order due to the off-island consultant's travel needs. So moved by Mr. Kopko. Mr. Bennett seconded. So voted unanimously.

Approval of Payroll Warrant for Week Ending 30 July 2006. Mr. Bennett moved to approve the payroll warrant. Mr. Kopko seconded. So voted unanimously.

Approval of Treasury Warrant for Week Ending 2 August 2006. Mr. Bennett moved to approve the treasury warrant. Mr. Kopko seconded. So voted unanimously.

Citizen/Departmental Requests.

1. Assessor: Request for Review of Annual Appointments to Abatement Advisory Committee.

The Board reviewed the appointments by the Assessor of Joseph J. McLaughlin, Judith Moran and H. Flint Ranney to the Abatement Advisory Committee for a one-year term covering fiscal year 2007. Mr. Bennett moved to approve the appointments. Mr. Kopko seconded. So voted unanimously.

2. Town Clerk: Request for Annual Appointment/Re-Appointments of Election Officers.

Mr. Chadwick moved to approve the appointment of election officers as listed in the Town Clerk's July 25, 2006 memo as attached for one-year terms beginning September 1, 2006 and ending August 31, 2007. Mr. Kopko seconded. So voted unanimously.

3. Nantucket Memorial Airport: Request for Letter of Support for South Shore Pipeline Project.

Airport Commission Chairman Foley Vaughan provided background information and asked for Board support of the South Shore Bulk Fuel Pipeline and Storage Facility. Consultant Leo Roy of Vanasse Hangen Brustlin, Inc, gave an overview of the fuel line project, noting that bulk fuel storage has been discussed since 1988. There were no comments from the public. Mr. Bennett noted he has environmental concerns. On Mr. Kopko's inquiry, Mr. Vaughan indicated that they were seeking a letter of support from the Board to proceed. Airport Manager Al Peterson indicated

next steps for funding to proceed with the environmental permitting and to manage the project. Mr. Chadwick spoke to the safety of the delivery of fuel. Mr. Glowacki moved to send a general letter of support for the project. Mr. Kopko seconded. Discussion followed on potential dangers and design of the off-shore single point mooring, the lengthy permitting process and the need to determine the medium through which the project should progress. On the motion, Mr. Glowacki, Mr. Chadwick, Mr. Kopko and Chairman Willauer voted in favor. Mr. Bennett voted in opposition.

Town Administrator's Report. (taken out of order)

1. Presentation of Sewer Enterprise Fund Report. Ms. Gibson provided background information and introduced consultant Mark Abrahams. Mr. Abrahams explained the current one-fund structure and presented options of continuing this way or of separating the fund into two funds, such that a Sconset Sewer Enterprise Fund and a Surfside fund would each be self-sustaining. He noted that a significant increase would result for Sconset if assessments and user fees are imposed and that corresponding decreases in the Surfside charges for all other, non-Sconset wastewater treatment customers would follow as well. He outlined the revenue sources to finance the FY 2007 revenue requirements. Sconset resident Finn Murphy asked about FY 2007 allocations concerning construction of a sewer on the north side of Old South Road. Ms. Gibson and Mr. Abrahams indicated that this would involve betterments and would affect FY 2008 figures, but not those for FY 2007. Discussion followed on connection and privilege fees. Donald Visco stated that careful consideration of charges to Sconseters is warranted. Mr. Glowacki referenced April 27, 2006 and May 9, 2006 memos and noted the September 15, 2005 Board discussion about seaparing into two enterprise funds as favored by the Sconset Sewer Committee. He added that the sewer advisory committee would be talking about the CWMP and suggested that the BOS address the matter of acceptance of the separation of funds in a few weeks and of clarifying the upcoming question to the Board. Ms. Gibson requested that the Board schedule a public hearing for increasing current sewer rates. The Board consented to do so on August 23, 2006.

Citizen/Departmental Requests (continued)

4. Sconset Post Office: Request for Temporary Use of Town Parking Lot in Siasconset. Engineer Ted Burnham, representing property owner Bernie Coffin, provided information on the planned renovation of the Sconset post office and the need for a temporary trailer near the site from this fall until June 1, 2007. No one spoke in opposition. Mr. Bennett moved to approve the request for the temporary use of the Town parking lot as requested. Mr. Chadwick seconded. Mr. Glowacki moved to amend the motion to include the requirement for a certificate of insurance naming the Town as an additional insured. So voted unanimously.

5. Citizen Request for Town Financial Assistance with Regard to Private Sewer Pipe Repairs. Summer resident Alex Filimanov of 23 West Chester Street provided background on the request. David Gray spoke as the contractor who performed previous repairs, noting the location of the problem involves private lines. DPW employee Ritchie O'Neil also spoke to clearly identify the location. Mr. Chadwick moved to send the question to the Sewer Advisory Committee for determination on how to proceed. Mr. Bennett seconded. Mr. Bennett and Mr. Chadwick voted in favor. Mr. Glowacki, Mr. Kopko and Chairman Willauer voted in opposition. Chairman Willauer asked for a positive motion. There being none, the matter was closed without action.

6. Sconset Beach Preservation Fund: Request for Letter of Support with Regard to Proposed Sconset Beach Nourishment Project. Cheryl Bartlett, Executive Director of the Sconset Beach Preservation Fund noted the request for generic support for beach nourishment, provided background information on the SBPF, and requested a letter of support be sent by this Friday. Island resident Rick Atherton stated that points of view differ on the subject of beach nourishment and asked for the sharing of the text with citizens, noting that other like requests could be expected for other island areas. Chairman Willauer read the draft letter aloud. Barbara Gookin voiced concerns on taking sand from the shoal that could cause other impacts, stating her opinion that a letter of support from the Board would be premature at this point. Nancy Wheatley shared thoughts on signing a letter specific to the Sconset project. Mr. Glowacki moved to send the letter. Mr. Kopko seconded. So voted unanimously.

7. Liquor Licensee: Request for Change of Manager for Nantucket Island Products Company dba Cap'n Tobey's Chowder House from Katherine O'Connor to Christopher Roche for Premises Located at 20 Straight Wharf. Chris Roche spoke in support of the transfer. Mr. Chadwick moved to approve the request. Mr. Kopko seconded. So voted unanimously.

8. Nantucket Hunting Association: Request for Amendments to Proposed Recreational Shooting Range Facility Lease. Ms. Gibson provided background information and noted that two amendments have been requested by the Hunting Association as the only respondent to the request for proposals to use a portion of Town-owned property for a shooting range. Steve Holdgate of the Nantucket Hunting Association stated that fundraisers would be planned for the clubhouse and so they would want to be able to serve liquor. He also indicated a request for a variation from the RFP for the fencing requirement. Ms. Gibson shared her recommendation as per Town Counsel to sign the lease agreement with the amendments to be addressed in a "side letter" indicating that the Board will consider waiving the fencing requirement for posting if an adequate plan is provided to the Board; and, would be amenable to permitting alcoholic beverages pursuant to a Board-approved license and the terms thereof. Phil Gallagher spoke against the potential dangers of "mixing alcohol and hunters" and discussion followed on the separation of these and on the need for fencing. Police Chief Pittman shared information on gun clubs and stressed the importance of organization and rules. He stated that the NHA has done a good job in planning and preparation of this club and suggested there is a benefit to the police department of a training facility. He also spoke in support of the fencing in the critical area rather than all of the property. Mr. Glowacki moved to approve the proposed lease amendments and to refer the price proposal back to Town Administration for further review. Mr. Bennett seconded. So voted, with Mr. Glowacki, Mr. Bennett, Mr. Chadwick and Chairman Willauer voting in favor. Mr. Kopko voted in opposition.

Town Administrator's Report. (continued)

1. Presentation of Sewer Enterprise Fund Report. This matter was addressed earlier in the meeting.

2. Review of Proposed Date for Special Town Election in Connection with Article(s) on October 23, 2006 Special Town Meeting Warrant. Ms. Gibson reviewed the proposed date of October 31,

2006 for the Special Town Election. Mr. Kopko moved to approve the special town election date of October 31. Mr. Bennett seconded. So voted unanimously.

3. Review of Board of Selectmen Meeting Schedule for August, September and October. Ms. Gibson reviewed upcoming agenda items under the general topic headings for each week, noting in response to Mr. Chadwick's inquiry that a taxi regulations public hearing is tentatively scheduled for September. Discussion followed on the policy for road cuts.

Mr. Glowacki made requests for inclusion in future agendas for various matters. The Board consented to place "Action on Sewer Enterprise Fund Separation" under Goals and Initiatives on the September 13, 2006 agenda. With regard to "Report of Committees" as discussed at the Board's goals meetings and the Right-of-Way Committee memo on Surfside properties dated July 26, 2006 asking for action, Chairman Willauer stated that he is awaiting feedback from another party. The Board consented to add a status report on the Surfside matter to the executive session agenda of August 10, 2006.

The Board consented to add "Reports from Selectmen Representatives of the NP&EDC and Government Study Review Committee" to agendas quarterly under "Goals and Initiatives."

Mr. Glowacki noted his earlier request to place three items on agendas as per his July 6, 2006 memo agreed on by the Board on July 12, 2006. Mr. Glowacki asked for ten minutes to be devoted to each of the following: Goals 2, 4 and 6 regarding "Budget Management and Expanded Departmental Reviews;" "Traffic Management" and "Town and Country Zoning" respectively. Chairman Willauer stated that these topics are on the next agenda of August 9, 2006 under "Goals and Initiatives."

Selectmen's Report/Comment.

1. Further Review of October 23, 2006 Special Town Meeting Warrant Articles (continued from 26 July 2006). Ms. Gibson noted that two articles recently revised could be explained by Nantucket Housing Office Executive Director Leedara Zola and Sarah Oktay who are present to discuss the updates. Planning Director Andrew Vorce summarized zoning articles and addressed confusion about them, noting the critical articles to address now. Discussion followed on the relationship of the 41-81 D plan and the warrant articles. Mr. Bennett moved to address the matter of the zoning warrant articles at a later meeting after acquiring any information it requires in the interim. There was no second. Discussion followed on the process.

Ms. Gibson advised the Board of changes to the housing bank article although the concept is unchanged. Ms. Gibson added that the "docks and piers" article has revised language to extend the current moratorium.

Mr. Chadwick spoke about the change in the time schedule for 6:00 meetings and noting the late hour, suggested options be considered for addressing it. Mr. Chadwick moved to discuss the scheduling of the Board of Selectmen's agenda and to address time management being used

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currently to stay on task. Mr. Glowacki seconded. Mr. Chadwick and Mr. Glowacki voted in favor. Mr. Bennett, Mr. Kopko and Chairman Willauer voted in opposition.

The meeting adjourned at 10:05 PM.

Approved the 6th day of September 2006.